

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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THE BARRY WHITE FAMILY TRUST U/A/D:	:	24cv7509 (DLC)
DECEMBER 18, 1980, BY ITS DULY	:	
EMPOWERED TRUSTEES,	:	<u>ORDER</u>
	:	
Plaintiffs,	:	
	:	
-v-	:	
	:	
JOE COOLEY, RODNEY DAVID OLIVER p/k/a	:	
RODNEY-O, d/b/a NOT INTRESTED	:	
PUBLISHING,	:	
	:	
Defendants.	:	
	:	
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DENISE COTE, District Judge:

The plaintiffs bring claims of copyright infringement against defendants Joe Cooley and Rodney Oliver. The defendants moved to dismiss the Amended Complaint based on lack of personal jurisdiction on January 31, 2025. That motion will become fully submitted on April 4.

On March 5, Necole Key moved to intervene in this action as a pro se party. Key asserts that she is Oliver's music rights manager and that she is harmed by this litigation because it has led to withholding of earnings from Oliver, and has therefore deprived her of commission-based earnings. Key has requested dismissal of the plaintiffs' claims and seeks to bring her own claims against the plaintiffs. Key also describes grievances against Epic Records and other parties that, like Key herself,

are not litigants in this action. The plaintiffs responded to Key's motion to intervene on March 14, stating that while they oppose Key's requests for relief, they do not oppose Key's request to appear as a party. The deadline for oppositions to Key's motion to intervene is April 4.

On March 13, counsel for the defendants, Fox Rothschild LLP ("Fox"), filed notice of its intention to withdraw "[i]n light of the recent filings and actions of Ms. Necole Key . . . and otherwise for good cause." Fox's motion to withdraw is due by March 21. Key and Oliver filed notices of pro se appearance on March 14.

Key also filed an "urgent motion" on March 14, which was received by this Chambers on March 17. In this filing, Key accuses Fox and the plaintiffs' counsel of collusion and other misconduct, and also repeats assertions that were made in Key's March 5 motion to intervene. Key asks for several forms of relief, including a stay of this action, an injunction, dismissal of the plaintiffs' claims, declaratory relief, and sanctions. Attached to this filing are nearly two hundred pages of emails, some of which are duplicative. Certain of these emails indicate that Key operates a business entity named Lady Key Management. Accordingly, it is hereby

ORDERED that to the extent that the rights manager to

Oliver is, in fact, a business entity (possibly named Lady Key Management) rather than a natural person (Key), that entity cannot proceed pro se and must be represented by an attorney admitted to practice law in this district, even if Key is that entity's sole member. See Berrios v. New York City Hous. Auth., 564 F.3d 130, 132-33 (2d Cir. 2009).

IT IS FURTHER ORDERED that, to the extent that Key continues to seek to intervene in this action, she shall file a pleading that sets out the claims or defenses for which she seeks intervention, as required by Rule 24(c), Fed. R. Civ. P., by March 31, 2025.

IT IS FURTHER ORDERED that should Key choose to file a reply to any opposition to her motion to intervene, any such reply shall be filed by April 9, 2025.

IT IS FURTHER ORDERED that, other than the aforementioned pleading due March 31 and possible reply due April 9, Key shall cease sending submissions to the Court until her status as a litigant is resolved. Key is not currently a litigant in this action, and therefore cannot obtain relief at this time.

IT IS FURTHER ORDERED that, to the extent that Oliver continues to proceed pro se, he must mail or email any communications with the Court to the Pro Se Intake Unit. Instructions for email communication with the Pro Se Intake Unit

may be found at:

<https://www.nysd.uscourts.gov/sites/default/files/2021-04/2021-04-21-Email-Instructions-pro-se-filings-final.pdf>.

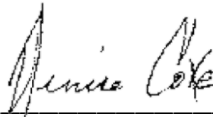
Communications may also be mailed to the Pro Se Intake Unit at 40 Foley Square, Room 105, New York, New York, 10007. The telephone number for the Pro Se Intake Unit is (212) 805-0175. A pro se party may not send any document or filing directly to Chambers. Submissions requiring immediate attention should be hand-delivered to the Pro Se Intake Unit. Unless the Court orders otherwise, all communications with the Court will be docketed upon receipt; such docketing shall constitute service on any user of the ECF system. If any other party is not a user of the ECF system (e.g., if there is another pro se party in the case), a pro se party must send copies of any filing to the party and include proof of service affirming that he or she has done so. Copies of correspondence between a pro se party and opposing parties shall not be sent to the Court.

IT IS FURTHER ORDERED that, to the extent that Oliver continues to proceed pro se, he may consider contacting the Federal Pro Se Legal Assistance Project (the "Clinic") opened in this District to assist people who are parties in civil cases and do not have lawyers. The Clinic is run by a private organization called the City Bar Justice Center; it is not part

of, or run by, the Court (and, among other things, therefore cannot accept filings on behalf of the Court, which must still be made by any pro se party through the Pro Se Intake Unit). To receive limited-scope assistance from the Clinic, parties may complete the Clinic's intake form on their computer or phone at: <https://www.citybarjusticecenter.org/projects/federal-pro-se-legal-assistance-project>. If the parties have questions regarding the form or they are unable to complete it, they may leave a voicemail at (212) 382-4794. A copy of a flyer with details of the clinic is attached to this Order.

IT IS FURTHER ORDERED that Fox shall serve a copy of this Order upon both Key and Oliver.

Dated: New York, New York  
March 18, 2025

  
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DENISE COTE  
United States District Judge

# FEDERAL PRO SE LEGAL ASSISTANCE PROJECT

in the Southern District of New York (SDNY)



## ABOUT THE PROJECT

The Federal Pro Se Legal Assistance Project provides limited assistance to self-represented litigants (plaintiffs and defendants) with cases involving civil legal matters in the United States District Court for the Southern District of New York (SDNY).

This project assists plaintiffs and defendants on a variety of federal legal issues, including, among others, civil rights, employment discrimination, and disability discrimination. The team also assists incarcerated individuals with civil (non-criminal) claims.

## HOW WE HELP

Fed Pro provides limited assistance through full-time attorneys, legal support team members, pro bono (volunteer) attorneys, law school/college interns, and a social work team. **While we cannot provide full representation**, Fed Pro can assist litigants by providing limited-scope services such as:



**Counseling** about potential federal claims prior to filing suit



Consulting on **discovery** matters



**Interpreting and explaining** federal law and procedure



Assisting with the **settlement** process (including mediation)



**Reviewing drafted pleadings** and correspondence with the Court

## HOW TO ACCESS OUR SERVICES



For assistance, please complete the **online form** located on our website, <https://www.citybarjusticecenter.org/projects/federal-pro-se-legal-assistance-project/>.

If you are not able to complete the form, or you have questions about the form, please **call (212) 382-4794**. Please leave a message and wait for us to call you back.